

Appl. No. 09/903,122
Amendment dated January 27, 2005
Reply to Office action of August 27, 2004

REMARKS

Reconsideration of the application as amended is respectfully requested.

The amendments to the specification are in response to the informalities noted in the Office action. Amendments to claims 6, 10, 24, and 27 correct the informalities noted in the rejection under 35 U.S.C. 112.

Claims 8 and 16, which the examiner indicated as being allowable, have been written in independent form. Claims 8, 9 and 16 should now be allowed for this reason.

The rejection of claims 1-3, 7, 11-15 and 17-20 under 35 U.S.C. 102(e) and of claims 4, 5, 21, 22, 23, 25, and 28-30 under 35 U.S.C. 103(a) are respectfully traversed for the following reasons.

Claims 1 and 18 have been amended to require a three-dimensional, computer model of a physical site and a target area. Sharir does not rely on a three-dimensional computer model. Applicants respectfully disagree that Gloudemans suggests substituting a three-dimensional model for the system in Sharir. The examiner offers as motivation that it would be more accurate. However, that it would be merely accurate is merely speculative. No cite to the prior for this proposition is given. Furthermore, the claims require that the target area be virtual, i.e. not corresponding to an actual physical surface present within the physical site. The target area is the area in which an advertisement, for example, may be inserted, as opposed to the graphic for advertisement that is actually inserted within the area. Sharir, Gloudemans, and the other art of record do not suggest a virtual target area defined within the three-dimensional model, much less tracking the duration and occlusion of the area in an image stream. All claims depending from claims 1 and 18 are now allowable for the at least these same reasons.

Applicant's failure to respond to the reasoning of the examiner with regard to any of the claims is not admission of the validity or accuracy of, or acquiescence in, the reasoning.

New claims 31 and 32 are allowable for the reason no one of the references of record disclose all limitations of the claims, or suggest the them.

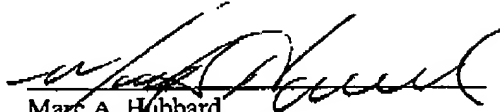
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In conclusion, allowance of the application as amended is respectfully requested.

Accompanying this amendment is a request for a 2-month extension of time. Please charge deposit account no. 13-4900 of Munsch Hardt Kopf & Harr, P.C. for any additional fees owed in connection with filing of this paper, including extension fees and excessive claim fees..

Respectfully submitted,

Date: 27 Jan 2005
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